



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
June 7, 2016

WORK SESSION

- 1. CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 6:00 pm.
- 2. COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Jennifer Harris, Councilors Dan King, Renee Brouse, Jennifer Kuiper, Linda Henderson and Sally Robinson.
- 3. STAFF PRESENT:** City Manager Joe Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Police Chief Jeff Groth, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.
- 4. TOPICS:**

A. Charter Amendments

City Attorney Josh Soper provided the Council with a document (see record, Exhibit A) explaining five possible Charter amendments to consider. He recommended that the Council consider the recommendations separately. He said the first proposed amendment would amend the ordinance adoption section. He commented that the current language is confusing and he is proposing to change it to the statutory process used by counties to adopt ordinances. He said instead of voting on the ordinance twice you have two readings and only vote once. He clarified that the vote would take place after the public comment period. He said the Council can still approve an ordinance at a single meeting by unanimous vote upon being read by title twice. He said the language also clarifies where the ordinance will be posted. City Recorder Sylvia Murphy reminded Mr. Soper that the council meeting agendas are currently posted on the City website and in four locations in the City.

Mr. Soper said the second possible Charter amendment would amend the City Recorder reporting structure section. He said this proposed amendment would require the City Recorder to report to the City Manager as opposed to the City Council. He noted most cities that have a City Recorder that reports to the City Manager do not have a City Recorder provision in the Charter (see record, Exhibit A). He said he has proposed to change the language within the section as opposed to striking the City Recorder section entirely as it could be perceived that the City is eliminating the City Recorder position. He noted that by amending the section the City will be required to have a City Recorder position.

Mr. Soper discussed the third possible Charter amendment regarding stipends for Council. He commented on government ethics rules regarding conflict of interest and said the way a stipend roll out is

structured will affect which ethics issues are triggered. He is proposing that anyone currently on Council and voting to place this Charter amendment before the voters will never be eligible to receive compensation. He said that allows Council to completely avoid conflicts of interest. He said it could also state that for each position after the next election for that position would become eligible for compensation and then there would be a potential conflict of interest. He said if the Council decides to have compensation prior to reelection then there would be an actual conflict of interest. He said Council could declare a conflict of interest and abstain from any discussion of the subject. He stated with a potential conflict of interest the Council would declare a conflict of interest and then they can discuss the subject. He provided the Council with information from other cities regarding compensation (see record, Exhibit A) and said \$150 was in the middle and he tied that to inflation. He said another approach would be to have the Charter state that Councilors shall be eligible for compensation and the Council could then set the amount.

Mayor Clark said it is her understanding that other cities have different compensation for Mayors and Councilors because of the amount of meetings the Mayor is required to attend. Mr. Soper said that is correct. Discussed followed.

Councilor Robinson said if referred to the voters the explanatory statement could mention that this is consistent with other cities.

Mayor Clark stated that to be consistent with other cities the Mayor's compensation has to be different than the other Councilors.

Councilor King suggested a monthly compensation of \$500 for the Mayor and \$250 for the Councilors with the CIP clause.

Councilor Harris said she was informed that babysitting is not a reimbursable expense. She asked how reimbursable expenses are defined. Mr. Soper said he presumes the definitions are based on IRS rules.

Mayor Clark clarified that if this proposed Charter amendment is approved would the newly elected officials be eligible for compensation. Mr. Soper said yes. Council continued to discuss actual and reasonable expenses.

Mr. Soper clarified that if approved the Mayor and Councilors would be eligible for compensation after there next reelection.

Councilor Brouse asked where the extra \$27,000 will come from if this amendment passes. Mr. Soper commented on the gradual phase-in of the expense. Mr. Gall said he is not concerned by the additional expense considering the City's current budget being in the millions.

Councilor Henderson asked if the Council wanted to consider other forms of compensation. Mr. Soper said the Council will still be able to be reimbursed for actual and reasonable expenses.

Mr. Soper discussed the fourth possible Charter amendment regarding term of office for the Mayor. He said the proposal is to convert the Mayor to a 4 year term of office. He provided the Council with a comparison of other cities (see record, Exhibit A). He stated if this is approved the newly elected Mayor

will serve a 4 year term. Discussion followed regarding term limits. Mr. Soper noted that most cities similar to Sherwood do not have term limits for the Mayor.

Councilor Henderson and Councilor Robinson stated that they are in favor of term limits for the Mayor. Discussion followed. Councilor King suggested imposing language for two consecutive 4 year terms. Mayor Clark said changing the length of term and imposing term limits would be confusing to the voters and increases the chance of a no vote. She would support waiting and doing term limits later.

Mr. Soper said in order to place these proposed Charter amendment on the November ballot the Council will need to approve and provide them to the City Recorder before August 19, 2016.

Councilor Robinson suggest that with a tight deadline that the Council hold off on the term limit issue and address that later with the Council term limits clarification language. She recommended putting that on a later election where there are other issues on the ballot.

Mr. Soper discussed the fifth possible Charter amendment to the City Budget section which would strike the word "annual" city budget so the City can move to a biannual budget process. Council agreed.

5. ADJOURN:

Mayor Clark adjourned the work session at 6:45 pm and convened to a regular session.

REGULAR SESSION

- 1. CALL TO ORDER:** Mayor Clark called the meeting to order at 7:00 pm.
- 2. COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Jennifer Harris, Councilors Dan King, Renee Brouse, Jennifer Kuiper, Linda Henderson and Sally Robinson.
- 3. STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joe Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Police Chief Jeff Groth, Community Development Director Julia Hajduk, Planning Manager Brad Kilby, Community Services Director Kristen Switzer, Volunteer Coordinator Tammy Steffens, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.

Mayor Clark addressed the next agenda item and asked for a motion.

4. APPROVAL OF AGENDA:

MOTION TO AMEND: FROM MAYOR CLARK TO REMOVE RESOLUTION 2016-031 AND RESOLUTION 2016-032 FROM NEW BUSINESS AS PAYMENT AS BEEN RECEIVED, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

MOTION AS AMENDED: FROM COUNCILOR HENDERSON TO APPROVE THE AMENDED AGENDA, SECONDED BY COUNCIL PRESIDENT HARRIS. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

5. CONSENT AGENDA:

- A. Approval of May 3, 2016 City Council Meeting Minutes**
- B. Resolution 2016-025 Appointing Sarah Hagen to the Parks and Recreation Board**
- C. Resolution 2016-026 Appointing Adam Best to the Parks and Recreation Board**
- D. Resolution 2016-027 Appointing Mike Bowcut to the Parks and Recreation Board**
- E. Resolution 2016-028 Appointing Mike Jackson to the Parks and Recreation Board**
- F. Resolution 2016-029 Appointing Nicole Burgess to the Cultural Arts Commission**
- G. Resolution 2016-030 Authorizing the City Manager to sign Intergovernmental Agreements with Washington County on behalf of Washington County Cooperative Library Services (WCCLS)**

MOTION: FROM COUNCILOR KUIPER TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILOR KING. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

6. PRESENTATIONS:

A. Recognition of Eagle Scout Award Recipient

Mayor Clark called forward Andrew Jensen and asked him to describe his Eagle Scout project. He said the Sherwood Friends Church which is where the Sherwood Charter School is located recently cut down a few pine trees and he made arrangements so the students could jump between the stumps as use as a play structure. The Council congratulated Andrew and Mayor Clark presented him with a certificate of achievement.

B. Recognition of 2016 Robin Hood Festival Maid Marian Court Members

Mayor Clark welcomed Kristine Mulkey the 2016 Robin Hood Festival Maid Marian Court Chaperone and welcomed the Junior and Senior Court members. Ms. Mulkey came forward and read a brief biography for each member of the court. The City Council presented the court members with a Certificate of Recognition. Senior Court members; Maid Marian Jessica Mulkey, Senior Court members Whitney Groeger, Madeleine LeCorre and Joanna Mallari. Junior Court members; Audrey McKinney, Sophia Mulkey, Megan Ramos and Marina Yoshinaka.

C. Washington County Visitors Association Presentation

Carolyn McCormick with the Washington County Visitors Association (WCVA) gave a presentation regarding the role of the association (see record, Exhibit B). She discussed the importance and the power of tourism and the role that the association plays in helping to grow and market tourism throughout the county. She said they are a destination marketing organization and a 501c6 funded by a dedicated tax which was voted on by the voters of Washington County. She said their job is to develop, market and promote Washington County and all of her cities as a place for people to visit. She said they focus on getting people to stay in overnight paid accommodations. She stated they recently rebranded the destination as The Tualatin Valley. She said tourism was a \$10.8 billion industry in Oregon last year. She

stated in 2016 in Washington County the economic impact of travelers was \$680 million, 7000 full time jobs, and \$11 million local tax receipts. She referred to the transient lodging tax which is a hotel tax base and said there are 4882 hotel rooms in the County and 1100 are being built. She said in 2015 there was \$147 million spent on lodging with a 73.4% occupancy rate in Washington County. She explained the breakdown of the transient lodging tax and the WCVA distribution of funding. She provided examples of recently funded capitol project grants. She explained marketing in the Tualatin Valley and said that WCVA spends \$1.5 million annually on marketing and provided examples.

Councilor Henderson asked how they partner with the business travelers and encourage them to return with their families. Ms. McCormick said that is the purpose of the kiosks in the hotel lobbies to introduce the destination. She said that is what they try to encourage. Brief comments were received regarding an employee of the WCVA who is a Sherwood resident.

Mayor Clark noted that WCVA is an asset to Sherwood and thanked them for their support.

D. Employee Spotlight

City Manager Joe Gall stated that once a month the City will highlight an employee. He recognized Volunteer Coordinator Tammy Steffens for her work on the Community Garden Project. He said Ms. Steffens joined the City in September 2014 and previously she was a Regional Development Director for E-script where she recruited and trained over 1500 volunteers for nonprofit school groups throughout Oregon and SW Washington. She also worked 15 plus years and an escrow officer and attended Mt. Hood and Clackamas Community College. She is also an avid volunteer in the community. He stated that Ms. Steffens has brought a lot of energy and enthusiasm to the Volunteer Coordinator position. He spotlighted her work on the Community Garden Project which has been challenging and outside of her job description. He thanked her for all of her hard work.

Mayor Clark addressed the next agenda item.

7. CITIZEN COMMENTS

Rob Watson, Sherwood resident and Board member with Just Compassion of East Washington County came forward with Darla Samuelson a Tigard resident and the Chair of Just Compassion. Ms. Samuelson stated they were here to communicate resources that are available to Sherwood and East Washington County for individuals who are living outside. She shared a story about the formation of Just Compassion and encountering individuals waiting at Labor Ready and asking if there was one thing that could be done for them what would that be. She said they indicated they needed showers and laundry so they could be clean to get a job. She explained this was in 2007 and started by meeting once a month at a privately owned laundry mat where they provided lunch and laundry services. She said they were then shuttled to a nearby church for showers. She said at this same time in the winter of 2007 churches were noticing people were outdoors and they started severe weather shelters. She explained by realizing the need for resources they met on a monthly bases and resourced each other and as a result they formed a coalition, Just Compassion. She mentioned St. Francis, St. Anthony's, Resonate, Symposium, Love Inc., Tigard United Methodist, Unity Laundry Mat are all part of the coalition. She stated as they met monthly they realized a need for a day center that can service the homeless population during severe weather and once a month with showers and laundry. She said what they would really like is to have a place where

people can go. She said this January they started a once a week day shelter that is held at Tigard Four Square that operates from 10am-2pm.

Councilor Kuiper referred to the handout provided by Just Compassion noting times services are available. She asked regarding when they were formed and Ms. Samuelson stated the day shelter started in January and their 501c3 was formed last summer.

Councilor Brouse thanked them for their service and the resources they are providing. Mayor Clark thanked them for their service.

Michelle Boyle, Sherwood resident approached the Council and discussed the need for tiny houses being an option in Sherwood. She said she built a 204 square foot tiny home on a trailer in the driveway of her rental home and would like to consider moving into her tiny house. She asked permission from Sherwood to acknowledge that tiny houses are not RVs. She asked Council to adopt the new Fresno, California zoning code which allows tiny houses to be legally occupied full time in the back yard of existing houses. She suggested leasing unused City land to private parties and allowing variances to use them as tiny house occupancy lots. She suggested planning and building pocket neighborhoods like in Langley, Washington. She listed cities that have adjusted their planning code to allow for tiny houses and suggested Sherwood do the same. She said this is an opportunity for Sherwood to set them apart and consider sustainable options.

Steve Holthouse, Sherwood resident came forward and expressed concerns with the student parking on Villa Road south of the High School stadium. He stated with parking on both sides of the street it is very crowded and fire trucks, UPS trucks nor Pride Disposal can get through. He said he emailed the City Council, the Police Department and the school. He said Police Officer Asla responded and said their hands were tied by the City Council. He said he knows the City budget is set for the coming year and heard today that his wife was driving and was nearly hit by another car, he stated he considers this a dangerous situation. He asked if the Council has discussed this or if they are aware.

Mayor Clark informed Mr. Holthouse that under Citizen Comments this was an opportunity to address the Council, and the Council does not answer questions or have a dialog. Mr. Holthouse asked if the Council will consider limiting parking next fall for the future on Villa Road south of the stadium as they have done on Woodhaven and Saunders with permit signs. He stated he got to know Officer Asla after the trestle fire and understands there was a desire to control access in that area by the City. He said he worked with Officer Asla on placing a motion camera on his fence and said he has notice lately that enforcement is nonexistent. He said after all this, what else will happen.

Valery Koyfman, Sherwood resident approached the Council and expressed concerns with speeding on Langer Drive and Century Drive and explained the dangers of the situation. He said there is excessive noise pollution and they have discussed the issue with the Police Department and a letter has been sent to City Hall. He commented on the three pedestrian crossings with no stop signs. He referred to interactions with the Police and they have acknowledged there is a speeding problem on Langer Drive. He asked for help in stopping the problem.

Mayor Clark addressed the next item on the agenda and the City Recorder read the public hearing statement.

8. PUBLIC HEARING

A. Ordinance 2016-007 Amending Title 9 of the Municipal Code relating to public peace, morals and welfare, Chapter 9.52 Prohibiting of Noise

City Attorney Josh Soper recapped the staff report and noted this is the second reading for the second round of updates to the noise ordinance. He said previously the Council approved an ordinance fixing some urgent issues with the noise ordinance and then held a work session on more comprehensive updates. He said the Council had the first hearing on this ordinance on May 3, 2016. He stated the ordinance is proposing to change definition of day hours which were previously 7 am to 10 pm on weekdays and 8 am to 7 pm on weekends to 7 am to 9 pm on weekdays and 8 am to 9 pm on weekends. He said a number of specific violations and exemptions were added from the League of Oregon Cities model noise ordinance and an exemption for certain holiday related noise was added. He stated the variance provisions were revamped entirely, eliminating the different categories of variances and streamlining the process. He said all initial variance decisions will be made by the City Manager based on specified criteria, with an opportunity to appeal to the City Council. He said the fine amounts remain the same with a first violation as a Class C, which is a \$250 fine and subsequent violations as Class B, which are a \$500 fine. He said if approved this will take effect in 30 days. He said there are a few scribner's errors specifically related to bulleting and number format identified by the City Recorder which will be changed. He referred the Council to pages 99 and 100 of the packet and identified the errors.

Councilor Henderson asked what happens if a citizen is issued a variance for an event in July based on the previous code. Mr. Soper said anyone applying for a variance moving forward will go through the new process.

Mayor Clark opened the public hearing, with no testimony received the public hearing was closed.

Mayor Clark referred to the scribner's errors and asked if there needs to be a motion to correct the errors. Mr. Soper recommended the Council approve the ordinance with the fix of the scribner's errors as addressed.

MOTION: FROM COUNCILOR HARRIS TO READ CAPTION AND ADOPT WITH THE SCRIBNER'S ERROR CHANGES, ORDINANCE 2016-007 AMENDING TITLE 9 OF THE MUNICIPAL CODE RELATING TO PUBLIC PEACE, MORALS AND WELFARE, CHAPTER 9.52 PROHIBITING OF NOISE. SECONDED BY MAYOR CLARK. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

Mayor Clark addressed the next agenda item.

B. Ordinance 2016-010 Amending Section 16.162.040 to allow public and private parking lots on a residentially zoned lot within the Old Town Overlay

Planning Manager Brad Kilby recapped the staff report and provided a presentation (see record, Exhibit C). He said on occasion the City fields complaints about parking in Old Town. He stated the URA has identified parking as a need to address. He stated the Robin Hood lot will be better served as a developed piece of property and the URA wanted to make sure that parking could be replaced. He stated the two parcels behind City Hall were purchased and they are split zoned with one lot being zoned Medium Density Residential Low (MDRL) which currently does not allow non-accessory parking. He said

the URA proposed to amend the Sherwood Zoning and Community Development Code to conditionally allow non-accessory parking. He said there was an initial Planning Commission hearing and there was concern about the City purchasing lots to put in parking lots on residentially zoned properties. He stated the URA then came back and amended the language to include a provision that the property would have to be vacant as of May 1, 2016 and that narrowed the scope down to the one property. He said the proposed language would go into the Old Town overlay which specifically says that parking would be allowed as long as it is conditionally approved and adjacent to a collector or arterial and vacant as of May 1, 2016. He said conditional uses still require a public hearing and any type of development in Old Town requires a public hearing. He referred to the general criteria that applies to all conditional uses. He said an amendment to the Comprehensive Plan shall be based up the need for such an amendment and be in accordance with the Transportation Planning Rule. He said the Planning Commission is recommending approval of PA 16-02.

Councilor Harris asked if there is a conflict of interest with being a City Council member and a member of the URA Board of Directors. City Attorney Josh Soper said there is no conflict of interest.

Mayor Clark opened the public hearing, with no testimony received the hearing was closed.

With no further Council questions Mayor Clark asked for a motion.

Mayor Clark asked Assistant City Manager Tom Pessemier if there is a necessity for a second hearing. Mr. Pessemier said that is a question for the City Attorney and there would have to be an emergency clause.

City Attorney Soper stated there would have to be an emergency declared and a unanimous vote.

MOTION: FROM COUNCILOR HARRIS TO APPROVE ORDINANCE 2016-010 AMENDING SECTION 16.162.040 TO ALLOW PUBLIC AND PRIVATE PARKING LOTS ON A RESIDENTIALLY ZONED LOT WITHIN THE OLD TOWN OVERLAY AND PLACE IT ON THE NEXT AVAILABLE CITY COUNCIL MEETING AGENDA FOR ADDITIONAL PUBLIC COMMENT AND CONSIDERATION, SECONDED BY MAYOR CLARK. MOTION PASSED 7:0, ALL MEMBERS VOTED IN FAVOR.

9. CITY MANAGER REPORT:

City Manager Joe Gall stated Ordinance 2016-010 will be placed on the July 19, 2016 agenda as the next City Council meeting is very busy with budget related items. He informed the Council that the City will be participating in Cascadia Rising 2016 which is an emergency exercise simulating a 9.0 earthquake. He said staff will be practicing how the City will respond in a disaster. He noted the City will be participating again tomorrow and will host an open house for staff and elected officials. He encouraged citizens to be prepared as well and invest in a 72 hour emergency kit.

Councilor Robinson asked if the results of the emergency exercise will be posted on the City website. Mr. Gall said there will be some internal lessons learned that can be shared with the Council.

Councilor Harris asked if there was any information on the City website regarding the 72 hour kit. Chief Groth said the information is under emergency management.

Mayor Clark discussed the importance of emergency preparedness.

Councilor Henderson asked if the School District was involved in the exercise. Mr. Gall said the School District was not involved in the exercise and said he would discuss this with the County.

Councilor Henderson excused herself from the meeting at 8:20 pm.

Mayor Clark addressed the next item on the agenda.

10. COUNCIL ANNOUNCEMENTS

Mayor Clark said there is a small lane behind the Center for the Arts named Columbia Drive and she suggested renaming the street in honor of Ode Gribble as a way to thank her for her many years of service. She noted on September 8, 2008 the City declared Ode Gribble day and noted the numerous contributions she has made to the community.

The following motion was stated.

MOTION: FROM MAYOR CLARK TO INITIATE A STREET NAME CHANGE PER CHAPTER 12.06 OF THE SHERWOOD MUNICIPAL CODE FOR THE PORTION OF THE EXISTING SW COLUMBIA STREET ADJACENT TO THE SHERWOOD CENTER OF THE ARTS TO SW ODE GRIBBLE LANE. SECONDED BY COUNCIL PRESIDENT HARRIS. MOTION PASSED 6:0. ALL PRESENT MEMBERS VOTED IN FAVOR, (COUNCILOR HENDERSON WAS ABSENT).

City Manager Gall clarified that this motion begins the process and staff will provide the Council with future action to change the street name.

Mayor Clark stated she was the keynote speaker at the WEA and spoke about contracting with Washington County for police services. She commented regarding upcoming events, Cruisin' and the Portland Rose Festival parade. She thanked Councilor Kuiper, Michelle Burchfield for their work on the float and Baggenstos for providing the workspace. She congratulated the Sherwood High Seniors on graduation. She thanked the Public Works staff for their work on the Cannery Plaza water feature. She commented on the success of the Sherwood Arts Festival. She said she attended a meeting at Cascade Locks and encouraged people to visit www.historichighway.com. She thanked Councilor Harris for attending the grand opening of the TriMet Line 97. She announced that Music on the Green will start on July 6.

Council President Harris discussed the TriMet event and the asset it will be for the community. She said Movies on the Park start in August and Missoula Children's Theater starts June 20. She said the Center for the Arts will have one summer camp per week. She reported on the upcoming Library events.

Councilor Robinson announced the Planning Commission meeting next Tuesday. She said she will miss the next two Council meetings and hopes to attend by phone.

Councilor King said Sherwood Main Street will meet next Thursday at 8 am.

Councilor Kuiper referred to the four new Parks and Recreation Board members and welcomed them. She thanked outgoing Parks and Recreation Board Chairman Dave Scheirman for his 14 years of service. She shared her experience serving with him on the Board. She provided an update on the mini float that is being built for the Portland Rose Parade and encouraged people to come help. She thanked all of those businesses that have contributed including It's All Arranged. She commented on the Emergency Preparedness training and her experience as a Geologist. She encouraged everyone to prepare for two weeks and recommended reading "The Unthinkable" by Amanda Ripley.

Councilor Brouse commented on Emergency Preparedness and said water is the most important thing and one gallon of water per individual is needed per day. She announced that May Fair Lady tickets are available. She reported attending the Line 97 grand opening. She said the Sherwood Center for the Arts hosted Vision Action Network with over 120 in attendance. She reported she attended the Water Consortium meeting regarding lead hazards. She announced the School Board is meeting tomorrow at Laurel Ridge to discuss the bond measure.


With no further announcements, Mayor Clark adjourned the meeting.

11. ADJOURN:

Meeting adjourned at 8:50 pm.

Attest:


Sylvia Murphy, MMC, City Recorder


Krisanna Clark, Mayor